BROOKLYN LAW SCHOOL

REASONABLE ACCOMMODATION POLICY AND PROCEDURES FOR STUDENTS

ISSUING AUTHORITY: Office of Dean and President

RESPONSIBLE OFFICER: Dean of Students, Director of Equal Opportunity and Title IX Coordinator

DATE ISSUED: January 12, 2015, *revised* August 12, 2024

I. THE PURPOSE OF THESE PROCEDURES: The purpose of these procedures is to inform students about how to request an accommodation so that their physical or mental disability, including pregnancy and related conditions, does not exclude them from Brooklyn Law School's academic programs and activities.

II. TO WHOM THESE PROCEDURES APPLY: These procedures apply to all students seeking an accommodation based on a physical or mental disability and to all personnel and staff who are involved in the accommodation process for students. All members of the Law School community should also be aware of the availability of these procedures to make proper referrals.

III. POLICY DEFINITIONS:

Disability – *A* disability is a temporary or permanent physical, medical, mental, or psychological impairment, or a history or record of such impairment, including being regarded as having an impairment. *A physical or mental impairment* is: (1) an impairment of any system of the body, including but not limited to the neurological system; the musculoskeletal system; the special sense organs and respiratory organs, including, but not limited to, speech organs; the cardiovascular system; the reproductive system; the digestive and genito-urinary systems; the hemic and lymphatic systems; the immunological systems; the skin; and the endocrine system; or (2) a mental or psychological impairment. This definition includes learning disabilities, pregnancy, and pregnancy-related conditions. In the case of drug addiction, alcoholism, or other substance abuse, the term "disability" applies only to a person who is: (1) recovering or has recovered; and (2) currently free of such abuse. It does not include an individual who is currently engaging in the illegal use of drugs or abusing alcohol in violation of the Law School's policies.

Reasonable Accommodation – *A* reasonable accommodation is a modification or adjustment that: (1) can be made to remove barriers to participating in academic programs and activities; and (2) does not alter the nature of the academic program or cause undue hardship for the Law School. Reasonable accommodations are determined on a case-by-case basis.

Health Care Provider – A person who is trained, credentialed, and properly licensed in a relevant health-care field and providing health care services such as identifying, preventing, or treating illnesses and disabilities.

IV. REQUEST PROCEDURES:

1. A student who would like to request an accommodation based on a disability should complete Sections I and II, and a qualified health care provider should complete Sections III and IV of the Reasonable Accommodation Request Form for Students. Documentation from the health care provider must be submitted and conform with the Brooklyn Law School Documentation Guidelines for Reasonable Accommodation Requests. The form and guidelines are located on the policy pages of BLS Connect at https://blsconnect.brooklaw.edu/administrative/policies/Pages and www.brooklaw.edu/policies. The cost of obtaining documentation, such as specialized testing, shall be borne by the student. The student is responsible for returning the form and accompanying documents to the Reasonable Accommodations Coordinator via email at accommodations@brooklaw.edu. All requests should be submitted as early in the semester as possible so that the request can be reviewed and if approved, the accommodation can be implemented with minimal disruption to the student's participation in academic programming. Requests should be made by October 15th for the Fall semester, March 15th for the Spring Semester, and April 1st for the Summer Session. For documentation submitted after the recommended deadlines, there is no guarantee that the request will be fully evaluated for the current semester, but effort will be made.

2. The accommodation request will be evaluated by the Reasonable Accommodations Coordinator, who, if needed, may seek outside consultation. The Coordinator may ask the student for further clarification of a request; for additional documentation; or pursuant to the release signed by the student on the accommodation request form, speak to the student's health care provider for the sole purpose of further evaluating the request. The student will be notified of any delays in processing the request.

3. The student shall be notified in writing of the reasonable accommodation(s) that will or will not be provided within thirty (30) business days[1] of initiating the request or as soon as practicable.

4. The student may request a reconsideration of the accommodation(s) that were or were not provided within ten (10) business days of receiving a written response from the Reasonable Accommodations Coordinator. The Coordinator's response to the request for reconsideration shall be issued within twenty (20) business days or as soon as is practicable.

5. If the student is not satisfied with the Coordinator's response to the reconsideration, the student may appeal to the President and Dean of the Law School. Please see below for appeal procedures.

[1] Business days excludes weekends, holidays, and days on which the School is officially closed, such as snow days and the holiday break.

6. Please be aware that a reconsideration is based on the documentation presented. If circumstances have changed regarding the impairment that did not exist when the reasonable accommodation process began, or that has developed since the reconsideration response was issued, a student may, at any time, initiate a new reasonable accommodation request following the same procedures.

7. For admission applicants who need a reasonable accommodation based on a disability, please contact the Reasonable Accommodations Coordinator at accomodations@brooklaw.edu to discuss your accommodation needs.

8. For students applying to international student exchange programs who may need a reasonable accommodation based on a disability, please follow these procedures and submit a request as soon as possible. Please be advised that there is often a difference between the disability laws in the United States and the disability laws of other countries. Therefore, the educational facilities in other countries may not be fully accessible and, as a result, alternatives may have to be explored.

V. APPEAL PROCEDURES:

1. Students may appeal the reconsideration to the President and Dean of Brooklyn Law School ("President/Dean") on the following grounds:

   a. non-compliance with these procedures or the law; or

   b. the reasonable accommodation determination is not supported by evidence.

2. Appeals must be in writing and submitted to the President/Dean within five (5) business days of receiving the reconsideration notification (See Section IV (4)). Additional materials in support of the appeal may not be submitted.

3. The President/Dean shall issue a written decision within twenty (20) business days of receipt of the appeal unless an extension is warranted. The decision, which is final as to the materials presented, shall be sent by first-class mail to the student's local address on record *and* to the student's email account.

4. An appeal decision does not preclude a student from initiating a new reasonable accommodation request based on the development of a new impairment or change in an existing impairment that occurs after the appeal.

VI. RECORD KEEPING

Documents related to reasonable accommodation requests shall be maintained in a confidential manner separate from general student educational records for a period of six (6) years (plus the current year) from the date of graduation or the date of last attendance.

VII. DISCLAIMER

This Policy does not form an agreement of any kind. It was created to assist students and may be altered, modified, or rescinded at the discretion of Brooklyn Law School.

Revised August 12, 2024